

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
 v.) Cr. No. 09-10243-MLW
)
RYAN HARRIS,)
Defendant.)

ORDER

WOLF, D.J.

June 28, 2012

For the reasons stated in court on June 27, 2012, it is hereby
ORDERED that:

1. The defendant's oral motion for bail pending appeal pursuant to 18 U.S.C. §3143(b) is DENIED. The court finds it is proven by clear and convincing evidence that the defendant is not likely to flee or pose a danger to the safety of any other person or the community if released. See §3143(b)(1)(A). However, the court finds that the defendant's appeal does not raise a substantial question of law or fact likely to result in reversal, a new trial, or a reduced sentence. See §3143(b)(1)(B); United States v. Bayko, 774 F.2d 516, 522-23 (1st Cir. 1985); United States v. DiMasi, 817 F. Supp. 2d 9, 12-15 (D. Mass. 2011).

2. This decision denying bail pending appeal is STAYED until September 4, 2012, in order to permit the defendant, if he chooses, to seek review of it by the Court of Appeals for the First Circuit.

3. If he has not obtained a further stay from this court or the First Circuit, the defendant shall, by 12:00 noon on September 4, 2012, report to the facility designated by the Attorney General of the United States to begin serving his three-year sentence.

/s/ MARK L. WOLF
UNITED STATES DISTRICT JUDGE